

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

IN RE:)	Case No. 17-05250-5-DMW
)	
THOMAS GREGORY DOUCETTE)	Chapter 13
)	
Debtor.)	
_____)	

APPLICATION FOR PRESUMPTIVE NON-BASE FEES

NOW COMES Erich M. Fabricius, attorney for the Debtor, pursuant to Bankruptcy Rule 2016 and Local Bankruptcy Rule 2016-1(a), and applies to the Court to award the presumptive non-base fees for representation of the Debtor in defense of a motion to dismiss. In support thereof, the undersigned shows as follows:

1. The Debtor filed this Chapter 13 case on October 26, 2017 and a plan was confirmed on February 2, 2018
2. The Trustee filed a motion to dismiss on October 31, 2019 for delinquency under the confirmed plan. Undersigned counsel consulted with the Debtor about options for responding, filed a response to the motion on behalf of the Debtor [doc #30] on November 20, 2019 and the matter has now been resolved.
3. The Debtor has not paid any fees to Erich M. Fabricius for services related to defense of the motion to dismiss. The procedures applicable in this district to awards of attorneys' fees were disclosed to the Debtor.
4. The above services are non-base service under the local rules, occurring after confirmation of the plan. E.D.N.C. L.B.R. 2016-1(a)(4)(F).
5. The presumptive fee applicable to defense of a motion to dismiss is \$250.00, as published in the administrative guide, pursuant to E.D.N.C. L.B.R. 2016-1(a)(6).
6. No previous applications for additional fees have been submitted in this case.
7. The undersigned verifies that all services for which fees are sought have been completed.

WHEREFORE, the undersigned respectfully applies to the Court to:

1. Grant Erich M. Fabricius the total presumptive non-base fee of \$250.00 for defense of the motion to dismiss as set out above; and
2. Allow such fees of \$250.00 as an administrative expense in the chapter 13 case.

This the 27th day of November, 2019

s/ Erich M. Fabricius
Erich M. Fabricius, NC State Bar No. 39667
Attorney for the Debtor
Fabricius & Fabricius PLLC
P.O. Box 1230, Knightdale, NC 27545-1230
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the attached application, was served this day on the following parties:

John F. Logan
Chapter 13 Trustee
(electronic notice via CM/ECF)

T. Greg Doucette
32 Dansey Cir Apt O
Durham, NC 27713-6281
(via first class mail)

This 27th day of November 2019

s/ Erich M. Fabricius